

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

STIPULATION AND ORDER

-against-

23-CR-191 (ARR)

TAESUNG KIM,
also known as "Terry," and
DACHENG LU,
also known as "Bruce,,

Defendant.

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WHEREAS, on or about May 1, 2023, the above-captioned Indictment was filed charging the defendants Taesung Kim, also known as "Terry," and Dacheng Lu, also known as "Bruce," with: conspiracy to commit money laundering, in violation of 18 U.S.C. § 1956(h);

WHEREAS, the Indictment provided notice of the government's intent to seek forfeiture of, *inter alia*, the real property and premises located at 1622 Parker Avenue, Fort Lee, New Jersey, 07024, together with all its respective buildings, appurtenances, improvements, fixtures, attachments, easements and furnishings (the "Subject Property"), pursuant to 18 U.S.C. §§ 982(a)(1), 982(b)(1) and 21 U.S.C. § 853(p);

WHEREAS, on or about February 6, 2025, the Court entered a Preliminary Order of Forfeiture against Terry Kim, on consent, ordering the forfeiture of all right, title and interest in the Subject Property to the United States, pursuant to 18 U.S.C. § 982(a)(1) (ECF No. 69);

WHEREAS, the titleholder of the Subject Property is Happy Care Management LLC;

WHEREAS, Terry Kim, by and through his undersigned authorized attorney, has represented to the United States that: (a) a contract of sale was executed on or about March 10,

2025 by Happy Care Management LLC, as Seller, and SJBA Management LLC, as Buyer, for the sale of the Subject Property in an arms-length transaction for fair market value; and (b) the sales price is anticipated to be approximately four million two hundred thousand dollars and zero cents (\$4,200,000.00) (hereinafter, the "Proposed Sale"); and

WHEREAS, the United States, Happy Care Management LLC and Terry Kim, by and through his undersigned counsel, (collectively, "the Parties") agree to an interlocutory private sale of the Subject Property pursuant to the terms herein, and move the Court, on consent, to authorize the Proposed Sale to avoid dissipation of the Subject Property.

NOW THEREFORE IT IS HEREBY STIPULATED, AGREED AND ORDERED as follows:

1. Happy Care Management LLC represents that it is the sole owner of the Subject Property and is authorized to execute this Stipulation and all other documents necessary to effectuate the sale of the Subject Property as contemplated herein.

2. Terry Kim represents that he is Managing Member of Happy Care Management LLC and is duly authorized to execute this Stipulation and all other documents necessary to effectuate the sale of the Subject Property as contemplated herein.

3. Kevin J. Keating, Esq. represents that he is duly authorized to represent Terry Kim with respect to the execution of this Stipulation.

4. The Parties agree that Happy Care Management LLC shall be permitted to proceed with the Proposed Sale of the Subject Property in accordance with all laws and applicable regulations.

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5. At the closing of the Proposed Sale, which is scheduled to take place at the Law Offices of Jeremy D. Sung, P.C., 38-12 150th Street, Flushing, NY 11354, the parties agree that Terry Kim shall cause the sum of \$4,200,000.00, less taxes and reasonable and customary closing costs (hereinafter, the “Net Sale Proceeds”), to be remitted to the United States Marshals Service, either in: (i) in the form of a certified or official bank check made payable to “United States Marshals Service,” with criminal docket number “23-CR-191 (EDNY)” noted on the face of the check, or (ii) via electronic transfer with criminal docket number “23-CR-191 (EDNY)” noted therein, pursuant to instructions to be provided by counsel for the United States. The United States Marshals Service shall be authorized to hold the Net Sale Proceeds as a substitute *res* for the Subject Property, until further order of this Court.

6. The Parties further agree that within 48 hours of the closing of the Proposed Sale, Terry Kim shall cause a copy of all closing documents, including an itemized statement of all closing costs and taxes incurred and proceeds generated at the time of the closing, to be delivered, by hand or by overnight mail delivery, to Assistant United States Attorney Tanisha Payne, United States Attorney’s Office - EDNY, 271-A Cadman Plaza East, Brooklyn, New York 11201.

7. Upon receipt and clearance of the Net Sales Proceeds by the United States Marshals Service, the attorney for the United States shall file a cancellation of the Lis Pendens filed by the United States recorded on or about February 27, 2025, under Index No. 2025014087 in the Bergen County Clerk’s Office.

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8. In no event shall the United States be held responsible for any costs, expenses or fees associated with the Subject Property, regardless of whether it is sold. The Parties agree that Happy Care Management LLC and Terry Kim shall be responsible for all expenses, costs and fees for the Subject Property, including, but not limited to, maintenance and the payment of any taxes, penalties and interest owed.

9. Terry Kim and Happy Care Management LLC agree that they shall not assert and hereby waive any argument that the Net Sale Proceeds are not traceable to the Subject Property.

10. Terry Kim and Happy Care Management LLC agree that they shall hold harmless, and release, remise, and forever discharge the United States, the Federal Bureau of Investigation, the United States Marshals Service and its agencies, agents, officers, and employees, past and present, from all claims or causes of action which they ever had, now have, or hereafter may have against the United States, its agencies, agents, officers, and employees, past and present, for or on account of the restraint of the Subject Property, the Proposed Sale and any proceeds traceable thereto.

11. The Parties agree that each party shall bear its own costs and attorney's fees, and Terry Kim and Happy Care Management LLC agree to waive any and all rights they have, if any, to recover attorney's fees and/or interest under the Equal Access to Justice Act, the Civil Asset Forfeiture Reform Act, or any other legal or statutory bases.

12. This Agreement is contingent upon the closing of the Proposed Sale and the Court's so ordering this Stipulation.

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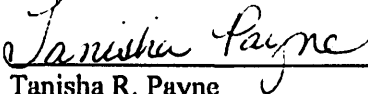
13. The Court shall retain jurisdiction over this action to effectuate the terms of this Stipulation.

14. This Stipulation constitutes the entire agreement between the parties and may not be modified or amended except by written agreement executed by each of them.

Dated: Brooklyn, New York
June 26, 2025

JOSEPH NOCELLA, JR.
UNITED STATES ATTORNEY
Counsel for the United States of America
Eastern District of New York
271-A Cadman Plaza East
Brooklyn, New York 11201

By:



Tanisha R. Payne
Assistant United States Attorney
(718) 254-6358
Tanisha.Payne@usdoj.gov

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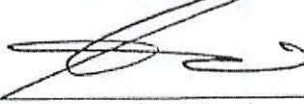
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AGREED AND CONSENTED TO BY:

Dated: 6/24, 2025

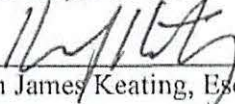
Happy Care Management LLC


Terry Kim, Managing Member
Defendant

Dated: Garden City, New York
6/25, 2025

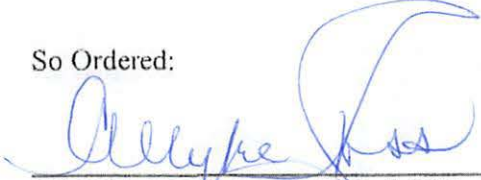
KEVIN JAMES KEATING
Counsel for Terry Kim
666 Old Country Road, Suite 900
Garden City, NY 11530

By:


Kevin James Keating, Esq.

Dated: Brooklyn, New York
6/27/25, 2025

So Ordered:


HONORABLE ALLYNE R. ROSS
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK

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